

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TOURO UNIVERSITY,

Plaintiff,

v.

EDWARD F. FARKAS,

Defendant.

Case No.

ORDER TO SHOW CAUSE

WHEREAS, Touro University has a substantial interest in protecting itself from loss of its Protected Information, including its Confidential Information and Trade Secrets, otherwise Touro University will suffer irreparable harm; and

WHEREAS, upon the Complaint dated January 5, 2024 in this action, the accompanying affirmations, and the accompanying Memorandum of Law in Support of Plaintiff's Application for a Temporary Restraining Order and a Preliminary Injunction, it is hereby:

ORDERED, that Defendant Edward F. Farkas ("Defendant") show cause before the undersigned in Courtroom 443, the United States District Court for the Southern District of New York, 40 Foley Square, New York, NY 10007, at 9 a.m.. on the 8th day of January, 2024 or as soon thereafter as counsel may be heard, why an Order pursuant to Rule 65 of the Federal Rules of Civil Procedure should not be entered preliminarily enjoining Defendant from engaging in the unfair, unlawful, and tortious conduct described herein, including orders

- (a) Enjoining and restraining Farkas, and any person or entity acting in concert with him or under his supervision, from misappropriating, possessing, using, disclosing or disseminating Touro's confidential information and trade secrets;
- (b) Enjoining and restraining Farkas, and any person or entity acting in concert with him or under his supervision, from any other actions in violation of Farkas's obligations or fiduciary duties owed to Touro;

- (c) Requiring Farkas to return all Touro property in his possession, including but not limited to laptops and devices; and
- (d) Requiring Farkas to produce all devices and storage media he used to access, possess, use, and/or disclose Touro's Confidential Information and Trade Secrets to an IT vendor or otherwise to a Receiver/Special Master appointed by this Honorable Court, so that Touro's Confidential Information and Trade Secrets contained thereon may be identified, isolated, and destroyed.

Plaintiff further seeks an Order from this Court: (a) to maintain *status quo* until a final determination of this action; and (b) to award to Plaintiff attorneys' fees, together with such other relief as this Court may deem just and proper. Sufficient cause appearing therefore, it is further

ORDERED, that based on a review of the application submitted by Plaintiff, it is in the interests of justice that pending a determination of this motion for a preliminary injunction, a temporary restraining Order shall temporarily restrain and enjoin Defendant from accessing, using, or disseminating Touro's Protected Information; and it is further

ORDERED, that sufficient cause having been shown, let service of a copy of this Order, together with the papers which was granted, made upon Defendant by email, on or before January 5, 2024, be deemed good and sufficient service.

DATED: January 5, 2024,
New York, New York

UNITED STATES DISTRICT COURT JUDGE